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# SENATE BILL No. \_\_\_\_\_

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-23-6.

**Synopsis:** Commission on forensic sciences. Provides that the members of the commission on forensic sciences (commission) shall be appointed by July 1, 2007. Provides that commission members shall receive a salary per diem and reimbursement for travel expenses. Requires the commission to submit a report to the legislative council by November 1, 2007, that includes the commission's findings and recommendations concerning the creation of a medical examiner system to assist coroners. Provides that the law establishing the commission expires on June 30, 2008. (The introduced version of this bill was prepared by the interim study committee on criminal justice matters.)

**Effective:** Upon passage.

**Miller**

\_\_\_\_\_, read first time and referred to Committee on \_\_\_\_\_



First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## SENATE BILL

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A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 4-23-6-2 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE UPON PASSAGE]: Sec. 2. The membership of the  
3 commission shall be appointed not later than July 31, ~~1959~~, **1, 2007**,  
4 and the commission shall hold its organization meeting upon call of its  
5 secretary within ten (10) days after its members are appointed.

6       SECTION 2. IC 4-23-6-3 IS AMENDED TO READ AS FOLLOWS  
7 [EFFECTIVE UPON PASSAGE]: Sec. 3. **(a)** The commission shall  
8 meet at least once in each two-month period.

9       **(b)** A majority shall constitute a quorum for the transaction of  
10 business. ~~and a per diem of ten dollars (\$10.00) per day, and actual~~  
11 ~~expenses incurred shall be allowed to each member for his attendance.~~

12       **(c)** Each member of the commission who is not a state employee  
13 is entitled to receive both of the following:

14               **(1)** The minimum salary per diem provided by  
15 IC 4-10-11-2.1(b).

16               **(2)** Reimbursement for travel expenses and other expenses  
17 actually incurred in connection with the member's duties, as



provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

(d) Each member of the commission who is a state employee is entitled to reimbursement for travel expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

SECTION 3. IC 4-23-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The commission on forensic sciences shall promulgate and adopt rules in accordance with IC 4-22-2 to:

- (1) create a medical examiner system to aid, assist, and complement the coroner in the performance of his duties by providing medical assistance in determining causes of death; and
- (2) establish minimum and uniform standards of excellence; performance of duties; and maintenance of records to provide information to the state regarding causes of death for cases investigated.

The commission shall also adopt any other rules that are necessary to carry out the provisions of this section.

(b) The commission shall establish five (5) medical examiner districts within the state, taking into consideration population; geographical size of the area covered; availability of trained personnel; death rate by both natural and unnatural causes; and similar related factors. No county may be divided in the creation of a district.

(c) A district medical examiner shall be appointed by the commission for each district from nominees who are physicians licensed to practice in Indiana. Nominees must reside in the district they are nominated for, and a preference shall be given to practicing physicians in pathology.

(d) The district medical examiner may appoint as many physicians as associate medical examiners as may be necessary to provide service within the district. The associate examiners shall be licensed to practice in Indiana with a preference to practicing pathologists.

(e) District and associate medical examiners may engage in the private practice of medicine or surgery in addition to their duties as medical examiners.

(f) The district and associate medical examiners shall, at the request of coroners in their districts:

- (1) provide medical assistance in investigating deaths;



- (2) provide or contract for laboratory facilities for performing autopsies and investigations;
- (3) provide for the keeping of reports of all investigations and examinations; and
- (4) provide other functions which may be specified in rules adopted by the commission.

(g) A district or associate medical examiner who performs a medical examination or autopsy under the direction of a coroner is immune from civil liability for performing the examination or autopsy.

SECTION 4. IC 4-23-6-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. This chapter expires June 30, 2008.**

SECTION 5. [EFFECTIVE UPON PASSAGE] (a) **The commission on forensic sciences established by IC 4-23-6-1 shall submit a report to the legislative council before November 1, 2007.**

(b) **The report must include the findings and recommendations of the commission regarding the following:**

- (1) **The most efficient and effective structure for a statewide medical examiner system to aid, assist, and complement coroners in the performance of coroner duties by providing medical assistance in determining causes of death.**
- (2) **Minimum and uniform standards of excellence, performance of duties, and the maintenance of records to provide to the state regarding causes of death for cases investigated.**
- (3) **The creation of five (5) medical examiner districts within Indiana, taking into consideration:**
  - (A) **population;**
  - (B) **geographical size of the area covered;**
  - (C) **availability of trained personnel; and**
  - (D) **death rate by both natural and unnatural causes.**
- (4) **The process for selecting a district medical examiner and support staff.**
- (5) **Training requirements for a district medical examiner and support staff.**
- (6) **The employment structure of a district medical examiner's office.**
- (7) **The services that a district medical examiner should provide to coroners, including:**
  - (A) **autopsies;**
  - (B) **medical assistance in investigating deaths;**
  - (C) **laboratory facilities for performing autopsies and**



- 1                    investigations;  
2                    (D) reporting functions; and  
3                    (E) other services recommended by the commission.  
4                    (8) Recommendations for legislation.  
5                    (c) The report submitted to the legislative council must be in an  
6                    electronic format under IC 5-14-6.  
7                    (d) This SECTION expires December 31, 2007.  
8                    SECTION 6. An emergency is declared for this act.

